

United States Department of the Interior

BUREAU OF LAND MANAGEMENT HOUSE RANGE RESOURCE AREA

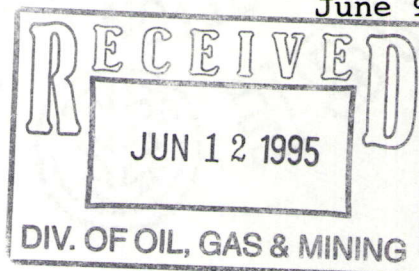
15 East 500 North
P.O. Box 778
Fillmore, Utah 84631



IN REPLY REFER TO:
3800
(U-054)

June 9, 1995

D WAYNE HEDBERG
UTAH DIVISION OF OIL GAS AND MINING
355 WEST NORTH TEMPLE
SALT LAKE CITY UT 84180-1203



Dear Mr. Hedberg:

Enclosed is a copy of the following mining notice:

BLM Serial Number

Operator

UTU-072870

American Aggregate

This is sent to you in accordance with the Memorandum of Understanding between our two agencies.

Should you have questions regarding this notice please call Rody Cox at (801)743-6811.

Sincerely,

Rody Cox
Geologist

Enclosures

1. Notice of Intent



United States Department of the Interior

BUREAU OF LAND MANAGEMENT HOUSE RANGE RESOURCE AREA

15 East 500 North
P.O. Box 778
Fillmore, Utah 84631

TAKE
PRIDE IN
AMERICA

IN REPLY REFER TO:
3800

(U-054)
UTU-072870

June 9, 1995

MIKE MCPHILOMY
AMERICAN AGGREGATE
20 LIND COURT
ORINDA CA 94563

Dear Mr. McPhilomy:

Your notice to conduct mining related operations on unpatented mining claims, UMC serial numbers 357111-2, located in Secs. 6 and 7, T. 13 S., R. 15 W., SLBM, was received on May 19, 1995, and has been accepted by this office. Your notice has been assigned case file number UTU-072870. Please use this number in any future correspondence concerning this notice.

As discussed at our June 8, 1995, meeting, the area in which you proposed to mine in Sec. 17., T. 13 S., R. 11 W., is within the area withdrawn from location of mining claims and any mining activity other than casual use. Also, please note that the Beau Dingle Mine claim, located in Sec. 9, T. 12 S., R. 12 W., is not included under a Notice of Intent. I have enclosed a map, and a blank form for a Notice of Intent, if you wish to submit a Notice for these areas.

If you change your operation from what is described in your notice, you are required to contact this office prior to the change. If your operation extends for more than one year, please advise this office on the status of your mining related activity on the anniversary date of your notice.

Enclosed is a copy of the Conditions of Acceptance for BLM Mining Notices, stipulated by the Richfield District, House Range Resource Area. Please follow these guidelines as they pertain to your operation.

We are of the preliminary opinion the deposit you have claimed is "common variety" and, as such, is not open to location. The proper procedure for mining and disposal of this material is through 43 CFR 3610, mineral material sales, wherein you would relinquish your claims and sign a contract with the Bureau of Land Management to purchase the material at a specified price. We will gladly provide you with information regarding mineral material sales.

If you are convinced that your deposit is locatable, please be aware the Court has set standards to distinguish between common

varieties and uncommon varieties of mineral deposits or stone.
The standards are:

1. There must be a comparison of the mineral deposit in question with other deposits of such minerals generally;
2. The mineral deposit in question must have a unique property;
3. The unique property must give the deposit a distinct and special value;
4. If the special value is for uses to which ordinary varieties of the mineral are put, the deposit must have some distinct and special value for such use; and
5. The distinct and special value must be reflected in the market place (or in reduced cost or overhead so that the profit to the claimant would be substantially more).

Should a final determination by the Department of Interior be made that this material is, in fact, "common variety", you could be responsible to the United States for the value of this material, damage to the land, and the administrative costs of recovering such compensation.

A copy of your notice has been sent to the Utah Division of Oil, Gas and Mining (UDOGM); therefore, you will not have to file this notice with them. A copy of your notice has also been sent to the Utah Department of Environmental Quality, Division of Water Quality (DWQ). DWQ should contact you concerning any permits you may need, however their failure to do so does not absolve you from responsibility for obtaining the same.

If you are selling any minerals extracted during your mining activities, the U. S. Department of Labor, Mine Safety and Health Administration (MSHA) may consider your operation to be under its jurisdiction. We recommend you contact them at:

USDOL Mine Safety and Health Administration
1745 West 1700 South Room 2040
Salt Lake City, UT 84104

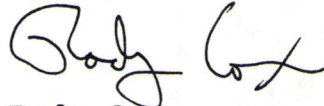
As required by 43 CFR 3809, Surface Management Regulations, reasonable measures must be taken to prevent unnecessary or undue degradation of public lands and reclamation is required at the earliest feasible time. Please notify this office upon completion of operations and reclamation so an inspection may be conducted on the site. Reclamation under this notice is required to conform to the standards of the Utah Mined Land Reclamation Act.

Acceptance of your notice will not now, nor in the future, serve as a determination of the validity nor ownership of any mining claim included under your notice.

Prior to the commencement of your operations, we would like to meet

with you on site to review reclamation practices and initiate a reclamation plan. Please contact this office to arrange the meeting. If you have any questions regarding this letter, please feel free to contact me at (801) 743-6811. Thank you for submitting your notice.

Sincerely,



Rody Cox
Geologist

Enclosures

1. Conditions of Acceptance for BLM Mining Notices (p. 3)
2. Map of West Topaz Mountain
3. Notice of Intent form

cc: D. Wayne Hedberg, UDOGM
Kiran L. Bhayani, DWQ
Rae Jean Layland, Box 310 Callao Rt., Wendover, UT 84083
Bill Tanner, USDOL Mine Safety and Health Administration